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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/912,125	07/23/2001	David R. Burritt	4366-39	4066
22442	7590	12/03/2004	EXAMINER	
SHERIDAN ROSS PC 1560 BROADWAY SUITE 1200 DENVER, CO 80202			NORRIS, TREMAYNE M	
			ART UNIT	PAPER NUMBER
			2137	

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/912,125

Applicant(s)

BURRITT ET AL.

Examiner

Tremayne M. Norris

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/01/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the present drawings are informal. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification does not teach the limitation of claim 7 wherein "altering a decryption algorithm in said communications server to correspond to said altered encryption algorithm in said security server, wherein a token passed to said security server by said first communications device and encrypted by said security server using said altered encryption algorithm and said identifying information can be decrypted by said communications server using said altered decryption algorithm."

Claim Objections

3. Claim 7 is objected to because of the following informalities: The specification does not teach all limitations. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "said communication system" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1,3,9-11,13,14 are rejected under 35 U.S.C. 102(b) as being anticipated by Aditham et al (US pat 5,706,349).

Regarding claim 1, Aditham teaches a method for providing communications system security, comprising:

establishing communications between a first communications device and a communications server (col.5 lines 53-65);

generating a token in said communications server (col.6 lines 7-23);

providing said token to said first communications device (col.6 lines 15-19);

entering identifying information in said first communications device (col.6 lines 24-30) ;

establishing communications between said first communications device and a security server (col.6 lines 24-30);

providing said identifying information and said token to said security server (col.6 lines 24-30);

encrypting said token in said security server (col.7 lines 25-30);

providing said encrypted token to said first communications device (col.6 lines 15-19; col.7 lines 25-30);

providing said encrypted token to said communications server (col.6 lines 30-36; col.7 lines 25-30);

receiving said encrypted token at said communications server (col.6 lines 30-36);
and

granting said first communications device access to said communications system (col.6 lines 34-43).

Regarding claim 3, Aditham teaches said identifying information comprises at least one of a user identifier and a user password (col.6 lines 24-30).

Regarding claim 9, Aditham teaches said first communications device establishes communications with said communications server over a communications network comprising at least one of a wireless network, a wired network, and a switched voice data network (col.3 lines 14-29).

Regarding claim 10, Aditham teaches said step of providing said encrypted token to said communication server is performed after said encrypted token is received at said first communications device (col.6 lines 15-20; col.6 lines 30-36).

Regarding claim 11, Aditham teaches applying said encrypted token received at said communication server; and

verifying that said decrypted token matches said encrypted token generated in said communications server (col.6 lines 30-43).

Regarding claim 13, Aditham teaches a communications system providing remote security, comprising:

- a) a communications network (col.3 lines 14-29);
- b) a system server, comprising:

- i) communication system software (col.4 lines 57-59);
- ii) decryption software (col.7 lines 25-30); and
- iii) a network interface interconnected to said communications network (col.4 lines 57-59);

c) a first communications device, comprising:

- i) communications device software (col.4 lines 57-59);
- ii) a network interface interconnected to said communications network (col.4 lines 57-59);

d) a security server, comprising:

- i) encryption software (col.7 lines 25-30); and
- ii) a network interface interconnected to said communications network (col.4 lines 57-59),

wherein said first communications device is in communication with said security server and with said system server, and wherein said first communications device is granted access to said system server in response to receipt by said system server of a token encrypted by said security server (col.6 lines 7-43).

Regarding claim 14, Aditham teaches said communications network comprises at least one of a wireless computer network, a wired computer network, and a switched voice data network (col.3 lines 14-29).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aditham, and further in view of Scholnick (US pat 5,978,918).

Regarding claim 2, Aditham teaches the method of claim 1 but does not teach said security server utilizes said identifying information as an encryption key. Scholnick teaches said security server utilizes said identifying information as an encryption key (col.2 lines 40-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Scholnick's security process for public networks in order to provide proper authentication of participants of a communication network (Scholnick col.1 line 62 thru col.3 line 9).

Art Unit: 2137

10. Claims 4-6,8,15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aditham, and further in view of Schuster et al (US pat 6,681,252).

Regarding claim 4, Aditham teaches the method of claim 1. What Schuster teaches that Aditham does not teach is said step of establishing communications comprises requesting that a communications extension assigned to a second communications device be transferred to said first communications device (col.2 lines 18-20; col.10 lines 10-15; col.17 lines 57-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Schuster's method for interconnecting portable information devices in order to allow connected users to transfer user data to other communication devices (Schuster col.3 lines 38-48).

Regarding claim 5, Aditham and Schuster in combination teach the method of claim 4, in addition Schuster teaches said step of granting said first communications device access to said communications system comprises granting said request to transfer said communications extension to said first communications device, wherein at least a first plurality of communications features available to a user through said second communications device when said second communications device is assigned to said extension are available to a user through said first communications device when said first communications device is assigned to said extension (col.2 lines 18-20; col.10 lines 10-15; col.17 lines 57-67). It would have been obvious to one of ordinary skill in the art

at the time of the invention to combine Aditham's system for authenticating remote users with Schuster's method for interconnecting portable information devices in order to allow connected users to transfer user data to other communication devices (Schuster col.3 lines 38-48).

Regarding claim 6, Aditham teaches the method of claim 1, but does not teach said communications system comprises a private branch exchange telephony system. Schuster teaches said communications system comprises a private branch exchange telephony system (col.2 lines 7-17). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Schuster's method for interconnecting portable information devices in order to allow connected users to transfer user data to other communication devices (Schuster col.3 lines 38-48).

Regarding claim 8, Aditham teaches the method of claim 1, but does not teach said first communications device comprises a personal digital assistant. Schuster teaches said first communications device comprises a personal digital assistant (col.5 lines 53-58). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Schuster's method for interconnecting portable information devices in order to allow connected users to transfer user data to other communication devices (Schuster col.3 lines 38-48).

Regarding claim 15, Aditham teaches the system of claim 13 but does not teach said first communications device comprises at least one of a soft telephone and a hard telephone. Schuster teaches said first communications device comprises at least one of a soft telephone and a hard telephone (fig.1; col.5 lines 24-38). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Schuster's method for interconnecting portable information devices in order to allow connected users to transfer user data to other communication devices (Schuster col.3 lines 38-48).

System claims 16 and 17 are substantially equivalent to method claims 8 and 5 respectively, therefore claims 16 and 17 are rejected for the same reasons.

11. Claims 12,18,19,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aditham, and further in view of Chen (US pat 6,058,187).

Regarding claim 12, Aditham teaches the method of claim 1 but does not teach an encryption algorithm used in connection with determining whether to grant access to said communications system is not stored in said first communications device. Chen

Art Unit: 2137

teaches an encryption algorithm used in connection with determining whether to grant access to said communications system is not stored in said first communications device (col.5 lines 1-17). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Chen's method for secure telecommunication transmission in order to provide a secure transmission of data to a remote destination (Chen col.1 lines 5-9; col.2 lines 12-59).

System claim 18 is substantially equivalent to method claim 12, therefore claim 18 is rejected for the same reasons.

Regarding claim 19, Aditham teaches a communications system with security features remote from a communication device, comprising:

at least a first communications device (col.4 lines 10-19);

means for encrypting information received from said at least a first communications device (col.7 lines 25-30);

means for providing communications services to a plurality of communications devices, including said at least a first communications device and at least a second communications device (col.3 lines 30-33); and

means for interconnecting said at least a first communications device to said means for encrypting information and to said means for providing communications services, wherein said at least a first communications device is operable to perform at least a first set of communications functions (col.6 lines 7-43).

Aditham does not teach said means for encrypting are located remotely from said at least a first communications device. Chen teaches said means for encrypting are located remotely from said at least a first communications device (col.2 lines 27-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham's system for authenticating remote users with Chen's method for secure telecommunication transmission in order to provide a secure transmission of data to a remote destination (Chen col.1 lines 5-9; col.2 lines 12-59).

Regarding claim 21, Aditham and Chen in combination teach the system of claim 19, in addition Aditham teaches said means for interconnecting said at least a first communications device to said means for encrypting information and to said means for providing communications services comprises a wireless communications channel (col.3 lines 15-29).

12. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aditham and Chen, and further in view of Schuster.

Regarding claim 20, Aditham and Chen in combination teach the system of claim 19. What Schuster teaches that Aditham and Chen, in combination, do not teach is a means for interconnecting said at least a second communications device to said means

for providing communications services, wherein said at least a second communications device is operable to perform said at least a first set of communications functions, and wherein an extension assigned to said at least a second communications device is reassigned to said at least a first communications device (col.2 lines 18-20; col.10 lines 10-15; col.17 lines 57-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Aditham and Chen's system for authenticating remote users with Schuster's method for interconnecting portable information devices in order to allow connected users to transfer user data to other communication devices (Schuster col.3 lines 38-48).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tremayne M. Norris whose telephone number is (571) 272-3874. The examiner can normally be reached on M-F 7:30AM-5:00PM alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2137

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tremayne Norris

November 24, 2004



Andrew Caldwell
Andrew Caldwell